

REMARKS

In response to the Office Action dated March 18, 2010 (the "Action"), Assignee respectfully requests reconsideration based on the following remarks. Assignee respectfully submits that the claims as presented are in condition for allowance.

Status of the Claims

Claims 1-26, 28-31, 34-37 and 39-42 remain pending in the present application. Claims 1-26, 28-31, 34-37 and 39-42 stand rejected under Section 103(a) as allegedly being unpatentable over U.S. Patent No. 5,274,547 to Zoffel et al. ("Zoffel") in view of U.S. Patent Application Publication No. 2004/0117290 to Shacham ("Shacham"). Action, p. 1. These rejections are addressed below.

The Rejections under Section 103

I. Independent Claim 1 and Claims Dependent Therefrom

With regard to independent Claim 1, the Action states:

Zoffel discloses a method for providing customer sales information, the method comprising:
sales information associated with a customer from a member sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server (Note abstract and see column 4 lines 44-61 and column 5 lines 30-52 and column 10 lines 40-64) retrieving external credit rating information associated with the customer from an external credit rating agency (ECRA) system using the CSIPC server, wherein the ECRA system is not associated with the organization (Note abstract and see column 4 lines 44-61 and column 5 lines 30-52 and column 10 lines 40-64) and sending the customer sales information from the CSIPC server to the terminal wherein the customer sales information is based on the external credit rating

information (Note abstract and see column 4 lines 44-61 and column 5 lines 30-52 and column 10 lines 40-64) and wherein the customer sales information is based on the external credit rating information (Note abstract and see column 4 lines 44-61 and column 5 lines 30-52 and column 10 lines 40-64).

Action, p. 1. The Action concedes that "Zoffel fail to explicitly teach sending a request for customer." Action, p. 2. However, the Action goes on to state that:

Shacham discloses as constituting an input to the evaluation and response system the enterprise data being utilized, as will be described below, to evaluate values for metrics according to which objects and in requests. Ultimately the request itself may be evaluated. The enterprise data is shown to include, for example, sales history information, customer/request history information, and product information (see column 3 para 0037 and column 17 para 0119).

Action, p. 2.¹

Independent Claim 1 is reproduced below.

1. A method for providing customer sales information, the method comprising:
 - a) sending a request for customer sales information associated with a customer **from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization** using a terminal that is remote from the CSIPC server;
 - b) retrieving external credit rating information associated with the customer from an external credit rating agency (ECRA) system using the CSIPC server, wherein the ECRA

¹ Assignee notes that the Action uses substantially the same language and cites to the same passages of Zoffel and Shacham in rejecting the other independent claims. Therefore, Assignee will only reproduce the language of the Action here.

system is not associated with the organization; and
c) sending the customer sales information from the
CSIPC server to the terminal, wherein the customer sales
information is based on the external credit rating information.

The cited art does not disclose or suggest at least the above-underlined features of independent Claim 1. In particular, neither Zoffel nor Shacham teaches sending a request for customer sales information associated with a customer **from a sales representative of a business organization** to a customer sales information processing and communication (CSIPC) server **associated with and under the control of the same business organization** using a terminal that is remote from the CSIPC server.

Zoffel describes systems and methods for generating credit reports. The system includes a central data processing facility which is connectable to the three national credit repositories. A subscriber requests a credit report for an applicant, and the request is sent to the central data processing facility. The central data processing facility receives the request and queries the national credit repositories. The repositories return the applicant's credit data to the central data processing facility, where a report can be formatted and sent back to the subscriber. *See, e.g.,* Zoffel, Col. 4, lines 44-61 and Col. 5, lines 31-53.

However, Zoffel does not teach or suggest that the "subscriber" can be a sales representative of a business organization, and that the "central data processing facility" (which the Action would appear to identify as the "CSIPC server") can be associated with and under the control of the same business organization. Indeed, Zoffel teaches away from this configuration. The central data processing facility of Zoffel is part of a distinct business entity that operates as an intermediary between subscribers and the national credit repositories. The subscribers are actually clients of the organization that controls the central data processing facility. *See* Zoffel, Col. 6, lines 49-50. Moreover, Zoffel teaches that the organization can have many clients, none of which are associated with the organization: "[a]ny number of subscribers can access central data processing facility 22 and request credit reports." Zoffel, Col. 4, lines 62-63.

Shacham does not cure the deficiencies of Zoffel. Shacham describes systems and methods to evaluate a transaction request, such a request from a buyer to a supplier. However, Shacham simply does not teach that a request can be made from a sales representative of a business organization to a CSIPC server that is associated with and under the control of the same business organization. In fact, Shacam teaches away from this arrangement in that a request "may represent different sales opportunities such as, for example, a request for quote (RFQ), a request for a price agreement with non-binding purchase commitments, or an order for line items specified within the transaction request 20." These types of requests are made from a potential buyer to a potential seller or supplier, which are obviously two separately entities.

Assignee is unclear as to exactly what the Action is relying on Shacham to teach. The Action states that Zoffel fails to disclose "sending a request for customer," and cites to two passages of Shacham, only one of which actually exists. That passage is reproduced below.

[0037] FIG. 2 also shows enterprise data 18 as constituting an input to the evaluation and response system 10, the enterprise data 18 being utilized, as will be described below, to evaluate values for metrics according to which objects 26 and 28 in requests 20. Ultimately the request 20 itself may be evaluated. The enterprise data 18 is shown to include, for example, sales history information, customer/request history information, and product information.

Shacham, Paragraph 37.

Thus, the system can use enterprise data as part of the evaluation process. However, the enterprise data is clearly not sent by a sales representative using a terminal that is remote from the system, as recited in Claim 1. Rather, the enterprise data would appear to be stored in the system and optionally used after a request is received from a potential buyer.

For at least the foregoing reasons, Assignee respectfully submits that independent Claim 1 is patentable over the cited art and respectfully requests that the rejection under Section 103(a) be withdrawn. Claims 2-20 are also patentable at least per their dependence from Claim 1.

II. Independent Claim 21 and Claims Dependent Therefrom

Independent Claim 21 recites a method for providing customer sales information comprising, *inter alia*, sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a wireless signal from a wireless communication device that is remote from the CSIPC server.

At least the above-underlined features define over the cited art for at least the same reasons set forth above in reference to Claim 1. Moreover, the Action alleges that Zoffel discloses using a wireless signal from a wireless communication device (Action, pp. 4-5) but neither the cited passages nor any other portion of Zoffel appears to teach this recitation.

For at least these reasons, Assignee respectfully submits that independent Claim 21 is patentable over the cited art and respectfully requests that the rejection under Section 103(a) be withdrawn. Claims 22 and 23 are also patentable at least per their dependence from Claim 21.

III. Independent Claim 24 and Claims Dependent Therefrom

Independent Claim 24 recites a method for providing customer sales information comprising, *inter alia*, sending a request for customer sales information from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number. Claim 24 also recites retrieving customer rating information associated with the telephone number using the CSIPC server.

At least the above-underlined features define over the cited art for at least the same reasons set forth above in reference to Claim 1. Moreover, the Action alleges that Zoffel discloses that the request includes a telephone number and that the CSIPC server retrieves

customer rating information associated with the telephone number (Action, pp. 5-6), but neither the cited passages nor any other portion of Zoffel appears to teach these features.

For at least these reasons, Assignee respectfully submits that independent Claim 24 is patentable over the cited art and respectfully requests that the rejection under Section 103(a) be withdrawn. Claim 25 is also patentable at least per its dependence from Claim 24.

IV. Independent Claim 26 and Claims Dependent Therefrom

Independent Claim 26 recites:

26. A method for providing customer sales information, the method comprising:
- a) sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization;
 - b) retrieving customer rating information associated with the customer using the CSIPC server; and
 - c) automatically determining a sales term using the CSIPC server, wherein the sales term is based on the customer rating information; and
 - d) sending the sales term to the sales representative from the CSIPC server;
- wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.

At least the above-underlined features define over the cited art for at least the same reasons set forth above in reference to Claim 1.

Furthermore, the Action asserts that Zoffel discloses: 1) automatically determining a sales term using the CSIPC server, wherein the sales term is based on the customer rating information; 2) sending the sales term to the sales representative from the CSIPC server; and 3) wherein the sales term includes at least one of a maximum allowed sale amount and a required down

payment. Action, p. 6. However, Zoffel does not appear to teach determining a sales term or sending the sales term to the sales representative, much less a sales term including at least one of a maximum sale amount and a required down payment, as recited in Claim 26.

For at least these reasons, Assignee respectfully submits that independent Claim 26 is patentable over the cited art and respectfully requests that the rejection under Section 103(a) be withdrawn. Claims 28-31 are also patentable at least per their dependence from Claim 26.

V. Independent Claim 34

Claim 34 recites a system for providing customer sales information and includes recitations substantially corresponding to those of method Claim 1. Therefore, for at least the reasons set forth above with regard to Claim 1, Assignee respectfully submits that Claim 34 is patentable over the cited art and respectfully requests that the Section 103(a) rejection be withdrawn.

VI. Independent Claim 35

Claim 35 recites a system for providing customer sales information and includes recitations substantially corresponding to those of method Claim 21. Therefore, for at least the reasons set forth above with regard to Claim 21, Assignee respectfully submits that Claim 35 is patentable over the cited art and respectfully requests that the Section 103(a) rejection be withdrawn.

VII. Independent Claim 36

Claim 36 recites a system for providing customer sales information and includes recitations substantially corresponding to those of method Claim 24. Therefore, for at least the reasons set forth above with regard to Claim 24, Assignee respectfully submits that Claim 36 is patentable over the cited art and respectfully requests that the Section 103(a) rejection be withdrawn.

VIII. Independent Claim 37

Claim 37 recites a system for providing customer sales information and includes recitations substantially corresponding to those of method Claim 26. Therefore, for at least the reasons set forth above with regard to Claim 26, Assignee respectfully submits that Claim 37 is patentable over the cited art and respectfully requests that the Section 103(a) rejection be withdrawn.

IX. Independent Claim 39

Claim 39 recites a computer program product for providing customer sales information and includes recitations substantially corresponding to those of method Claim 1. Therefore, for at least the reasons set forth above with regard to Claim 1, Assignee respectfully submits that Claim 39 is patentable over the cited art and respectfully requests that the Section 103(a) rejection be withdrawn.

X. Independent Claim 40

Claim 40 recites a computer program product for providing customer sales information and includes recitations substantially corresponding to those of method Claim 21. Therefore, for at least the reasons set forth above with regard to Claim 21, Assignee respectfully submits that Claim 40 is patentable over the cited art and respectfully requests that the Section 103(a) rejection be withdrawn.

XI. Independent Claim 41

Claim 41 recites a computer program product for providing customer sales information and includes recitations substantially corresponding to those of method Claim 24. Therefore, for at least the reasons set forth above with regard to Claim 24, Assignee respectfully submits that Claim 41 is patentable over the cited art and respectfully requests that the Section 103(a)

rejection be withdrawn.

XII. Independent Claim 42

Claim 42 recites a computer program product for providing customer sales information and includes recitations substantially corresponding to those of method Claim 26. Therefore, for at least the reasons set forth above with regard to Claim 26, Assignee respectfully submits that Claim 42 is patentable over the cited art and respectfully requests that the Section 103(a) rejection be withdrawn.

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CONCLUSION

Assignee respectfully submits that this application is now in condition for allowance, which action is requested. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,




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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on May 27, 2010.


Tracy Wallace